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Atty Dkt No. PP00356.001
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Susan LaMont
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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JUN 26 2002

In Re Application of:

SCARLATO et al.

Confirmation No.: 8470

Serial No.: 09/303,518

Group Art Unit: 1631

Filing Date: April 30, 1999

Examiner: Zhou, S.

Title: NEISSERIAL ANTIGENS

TECH CENTER 1600/2900

RESPONSE TO REQUIREMENT FOR RESTRICTION

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

This is in response to the Restriction and Species Election Requirement dated February 25, 2002, for which a response was initially due March 25, 2002. Accordingly, a three month extension of time in which to respond is requested and the fee therefor accompanies this paper.

The Examiner required election of one of the following groups of claims:

Group I, claims 1 and 4-6, drawn to proteins;

Group II, claims 2, 3 and 8-13, drawn to polynucleotides;

Group III, claim 7, drawn to an antibody;

Group IV, claims 14-16, drawn to a compositions; and

Group V, claim 17, drawn to use of a composition.

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Moreover, the Examiner stated that each group detailed above "reads on patentably distinct sequences" and a further restriction was therefore applied to each group. Particularly, with respect to Group II, the Office requires election of 10 nucleic acid sequences.

In response to the Restriction Requirement, applicants hereby elect to prosecute the claims of Group II, claims 2, 3 and 8-13, without traverse, and further elect the following 10 sequences for examination at this time:

SEQ ID NO:125 (ORF 22-1);
SEQ ID NO:127 (ORF 22a);
SEQ ID NO:131 (ORF 22ng);
SEQ ID NO:463 (ORF 46ng-1);
SEQ ID NO:465 (ORF 46a);
SEQ ID NO:569 (ORF 138a);
SEQ ID NO:571 (ORF 138ng);
SEQ ID NO:649 (ORF 1-1);
SEQ ID NO:651 (ORF 1a); and
SEQ ID NO:653 (ORF 1ng).

Applicants expressly reserve their right under 35 USC §121 to file one or more divisional applications directed to the nonelected subject matter during the pendency of this application.

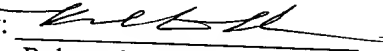
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Respectfully submitted,

Date: 6/13/02

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